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CERTAINE CONSIDERATIONS

touching the better pacification,

and Edification of the Church

of ENGLAND:

*Dedicated to his most Excellent
Maestie.*

G. Ld Bacon.



Printed for HENRY TOMES.



CERTAIN

CONSIDERATIONS

touching the better pacification

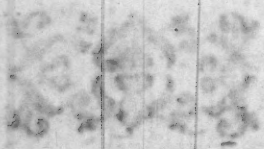
and Edification of the Church

of ENGLAND:

Devised by Sir John H. ...

...

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CERTAINE CONSIDERATIONS

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of ENGLAND:

*Dedicated to his most Excellent
Maiestie.*



THE Vnitie of Your
Church, (*Excellent Soue-
raigne*) is a thing no lesse
precious, than the Vni-
on of your Kingdomes,
beeing both Workes
wherein your happinesse
may contend with your

worthinesse. Having therefore presumed not
without your Majesties gracious acceptation,
to say somewhat of the one, I am the more in-
couraged not to bee silent in the other; the ra-
ther, because it is an Argument that I haue tra-
uelled heretofore: But *Salomon* commendeth a

Certaine Considerations touching
word spoken in season; and as our Sauour (speaking of the discerning of seasons) saith, *when you see a cloud rising in the west, you say it wil be a shewre:* So your Maiestie, rising to this Monarchie in the West parts of the World, doth promise a sweet and fruitfull houre of many blessings vpon this Church and Common-wealth, a shewre of that influence, as the very first dewes and drops thereof, haue already layd the stormes and windes throughout Christendome, reducing the very face of Europe, to a more peaceable and amiable Countenance. But to the purpose.

It is very true that these Ecclesiasticall matters, are things not properly appertaining to my profession, which I was not so inconsiderate, but to object to my selfe: but finding that it is many times seene, that a man that standeth off, and somewhat remoued from a plot of ground, doth better suruay it and discover it, than those which are vpon it, I thought it not impossible, but that I as a looker on, might cast mine eyes vpon some things which the Actors themselves, (especially some being interessed, some led and addicted, some declaring and ingaged) did not, or would not see; And that knowing in my conscience, whereto God beareth witness, that the things which I shall speake, spring out of no vaine of popularitie, ostentation, desire of noueltie, parcialitie to either side, disposition to intermeddle, or any the like Leuen
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the Church of England.

I may conceiue hope, that what I want in depth of judgement, may bee counteruailed in simplicitie, and sinceritie of affection. But of all things, this did most animate me, that I found in these opinions of mine, (which I haue long held and embraced, as may appeare by that which I haue many yeeres since written of them, according to the proportion neuerthelesse of my weaknesse) a consent and conformitie with that which your Majestie hath published, of your owne most Christian, most wise and moderate sence in these causes: wherein you haue well expressed to the World, that there is infused in your sacred brest from God, that high principle and position of Government, *That you ever hold the whole more deere, than any part.*

For who seeth not, that many are affected and giue opinion in these matters, as if they had not so much a desire to purge the euill from the good, as to countenance and protect the euill by the good. Others speake as if their scope were onely to set forth what is good, and not to seeke forth what is possible, which is to wish and not to propound. Others proceed, as if they had rather a minde of remoouing, than of reforming. But howsoever either side as men, though excellent men shall run into extremities, yet your Majestie, as a most wise, equall, and christian Moderator, is disposed to find out the golden mediocririe, in the establishment of that which is found, and in the reparation of that
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Certaine Considerations touching

which is corrupt and decayed. To your Princely judgement then I doe in all humbleness, submit whatsoeuer I shall propound, offering the same but as a mite into the Treasure of your wisdom. For as the Astronomers do wel obserue, that when three of the superiour Lights doe meet in conjunction, it bringeth forth some admirable effects; so there being joyned in your Majestie the light of Nature, the light of Learning, and aboue all the light of Gods holy spirit, it cannot be but your government must bee as a happie constellation ouer the States of your Kingdomes. Neither is there wanting to your Majestie that fourth Light, which though it be but a borrowed Light, yet is of singuler efficacie and moment added to the rest, which is the Light of a most wise, and well compounded Councell, to whose Honourable and graue Wisdomes I doe likewise submit whatsoeuer I shall say; Hoping that I shal not need to make protestation of my mind and opinion, that vntill your Majestie doth otherwise determine and order, all actual and full obedience is to be giuen to Ecclesiasticall iurisdiction, as it now stands, and when your Majestie hath determined and ordered, that euery good Subiect ought to rest satisfied, and apply his obedience to your Majesties Lawes, Ordinances, and Royall commandements. Nor of the dislike I haue of all immodest bitterness, peremptorie presumption, popular handling, and other courses
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the Church of England.

tending rather to rumour and impression in the vulgar sort, than to likely-hood of effect, ioyned with obseruation of dutie.

But before I enter into the points controuerted, I thinke good to remooue (if it may be) two opinions, which do directly confront and oppone to reformation, the one bringing it to a nullitie, and the other to an impossibilitie. The first is, *That it is against good policie to innouate any thing in Church matters.* The other, *That all reformation must bee after one Platforme.*

For the first of these, it is excellently sayd by the Prophet, *State super vias antiquas, & videte quam sit via recta & vera, & ambulate in ea.* So as he doth not say, *State super vias antiquas & ambulare in eis.* For it is true, that with all wise and moderate persons, custome and vsage obtaineth that reuerence, as it is sufficient matter to mooue them to make a stand, and to discover and take a view, but it is no warrant to guide or conduct the; a iust ground I say it is of deliberation, but not of direction. But on the other side, who knoweth not that time is truely compared to a streame, that carieth downe fresh and pure waters into that salt sea of corruption which inuironeth all humane actions? And therefore if man shall not by his industrie, vertue, and policie, as it were with the oare rowe against the streame and inclination of time, all institutions and ordinances be they neuer

Certaine Considerations touching

so pure will corrupt and degenerate. But not to handle this matter cōmon-place-like, I would onely aske, why the ciuill State, should be purged and restored by good and wholesome Lawes made e-very third or fourth yeare in Parliaments assembled, deuising remedies as fast as time breedeth mischiefs, & contrariwise the Ecclesiasticall State should still continue vpon the dregs of time, and receiue no alteration now for these five and fortie yeares and more? If any man shall obiect, that if the like intermission had beene vsed in Ciuill causes also, the error had not beene great. Surely, the wisdome of the Kingdome hath beene otherwise in experience, for three hundred yeares space at the least. But if it bee said to me, that there is a difference betweene Ciuill causes and Ecclesiasticall, they may as well tell me, that Churches and Chappels need no reparations, though Castles and houses doe; whereas commonly to speake truth, dilapidations of the inward and spirituall edifications of the Church of God are in all times as great, as the outward and materiall. Sure I am, that the very word and stile of Reformation vsed by our Sauour, *ab initio non fuit ita*, was applyed to Church matters, and those of the highest nature concerning the Law morall.

Neuerthelesse, hee were both vnthankfull and vnwise that would denie, but that the Church of *England* during the time of *Queene Elizabeth* of famous

the Church of England.

famous memorie did flourish. If I should compare it with forraine churches, I would rather the comparison should be in the vertues, then as some make it in the defects; rather I say, as betweene the Vine & the Oliue, which should be most fruitfull, & not as between the bryer and the thistle, which should be most vnprofitable. For that reuerence should be vsed to the Church which the good sonnes of *Noah* vsed to their fathers nakednesse; that is, as it were to goe backwards, and to helpe the defects thereof, and yet to dissemble them. And it is to be acknowledged, that scarcely any church since the *Primitiue Church*, yeilded in like manner of yeares and Latitude of Countrey, a greater number of excellent Preachers, Famous Writers, and graue Gouvernours; but for the discipline and Orders of the Church, as, many and the chiefeft of them are very holy and good, so yet if Saint *Iohn* were to indite an Epistle to the church of *England*, as hee did to them of *Asia*, it would sure haue the clause *Habeo aduersus te pauca*. And no more for this point, sauing that as an appendixe thereunto, it is not amisse to touch that obiection, which is made to the time and not to the matter, pretending that if Reformation were necessarie, yet it were not now seasonable at your *Maiesties* first entrance. Yet *Hippocrates* saith, *si quid moues à principio moue*. And the wiledome of all examples doth shew, that the wisest *Princes*, as they haue euer

Certaine Considerations touching

been the most sparing in remoouing or alteration of seruants and officers vpon their comming in; so for remoouing of abules and enormities, and for reforming of Lawes and the policie of their States, they haue chiefly sought to enable and commend their beginnings therewith, knowing that the first impression with people continueth long, and when mens mindes are most in expectation and suspence, then are they best wrought and managed. And therefore it seemeth to me, that as the spring of nature, I meane the spring of the yeare, is the best time for purging and medicining the naturall body; so the spring of Kingdoms, is the most proper season for the purging and rectifying of politrique bodies.

There remaineth yet an obiection rather of suspicion then of reason, and yet such as I thinke maketh a great impression in the mindes of very wise and well affected persons; which is, *That if way be giuen to mutation, though it be in taking away abuses, yet it may so acquaint men with sweetnesse of change, as it will undermine the stabilitie ewen of that which is sound and good.* This surely had beene a good and true allegation in the ancient contentions and diuisions betweene the people and the Senate of Rome, where things were carried at the appetites of multitudes which can neuer keepe within the compasse of any moderation. But these things beeing with vs to haue an orderly passage vnder

the Church of England.

vnder a King who hath a *Royall power*, and approved judgement, and knoweth as well the measure of things, as the nature of them, is surely a needlesse feare. For they need not doubt, but your *Maiestie* with the aduise of your *Councell*, will discern what things are intermingled like the tares amongst the wheat, which haue their rootes so inwrapped and intangled, as the one cannot be pulled vp without indangering the other, and what are mingled, but as the chaffe and the corne, which needs but a fanne to sift and seuer them. So much therefore for the first point of no reformation to be admitted at all.

For the second point. That there should be but one forme of *Discipline* in all Churches, and that imposed by a necessitie of a commandement and prescript out of the word of God; it is a matter Volumes haue beene compiled of, and therefore cannot receiue a brieue redargution. I for my part doe confesse, that in revealing the Scriptures, I could neuer find any such thing, but that God had left the like libertie to the *Church-gouernment*, as he hath done to the *Ciui government*, to be varied according to time and place and accidents, which neuerthelesse, his high and diuine prouidence doth order and dispoise; for all ciuill governments are restrained from God vnto the generall grounds of Iustice and manners, but the policies and formes of them are left free. So that

Certaine Considerations touching

Monarchies and Kingdomes, *Senates* and *Seignories*, popular States and *Communalities*, are all lawfull and where they are planted ought to bee maintained inuiolate.

So likewise in Church matters, the substance of *Doctrin*e is immutable, and so are the generall *Rules* of government; but for *Rites* and *Ceremonies* and for the particular *Hierarchies*, policies, and disciplines of Churches, they be left at large. And therefore it is good wee returne vnto the ancient bonds of vnitie, in the Church of God, which was one *Faith*, one *Baptisme*, and not one *Hierarchie*, one *Discipline*, and that wee obserue the league of *Christians* as it is penned by our Sautour *Christ* which is in substance of doctrine this, *Hee that is not with vs, is against vs*. But in things indifferent and but of circumstance, this, *Hee that is not against vs, is with vs*. In these things so as the generall rules be obserued *that Christs Flocke be fed; that there be a succession in Bishops and Ministers*, which are the *Prophets* of the *New Testament*, that there be a due & reuerent vse of the power of the *Keyes*; *that those that Preach the Gospell, line of the Gospell; that all things tend to edification; that all things bee done in order and with decencie*, and the like; the rest is left to the holy wisedome and spirituall discretion of the master-builders and inferiour builders in *Christs Church*, as it is excellently alluded by that Father that noted that *Christs Garment* was with-
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the Church of England.

out seame, and yet the Churches garment was of diuers colours, and thereupon setteth downe for a Rule; *In veste varietas sit scissura non sit.*

In which varietie neuerthelesse it is a safe and a wise course to follow good examples and presidents. But then the rule of imitation and example, is to consider not onely which are the best, but which are the likest, as namely the gouernment of the Church, in the purest times of the first good Emperours that imbraced the *Faith*. For the times of persecution before temporall *Princes* receiued the *Faith*, as they were excellent times for doctrine and manners, so they be vnproper and vnlike examples of outward gouernment and policie. And so much for this point: now to the particular points of Controuerfies or rather of Reformation.

Circumstances in the Gouernment of Bishops.

- 2 **F**irst therefore for the Gouernment of Bishops, I for my part not prejudging the Presidents of other reformed Churches, doe hold it warranted by the word of God and by the practise of the ancient Church in the better times, and much more conuenient for Kingdomes then parity of Ministers, and gouernment by Synodes. But then further it is to be considered, that the Church is not
now

Certaine Considerations touching

now to plant or build, but onely to bee pruned from corruptions and repaired, and restored in some decayes.

For it is worth the noting, that the Scripture saith, *Translatio Sacerdotio, necesse est ut & Legis fiat translatio.* It is not possible in respect of the great and neere sympathie betweene the State Ciuill, and the State Ecclesiasticall, to make so mayne an alteration in the Church, but it would haue a perillous operation vpon the Kingdome; and therefore it is fit, that controuersie be in peace and silence.

But there bee two circumstances in the administration of Byshops, wherein I confesse I could neuer be satisfied. The one, *The sole exercise of their authoritie*; The other, *the Deputation of their authoritie.*

For the first, the Byshop giueth orders alone, excommunicateth alone, judgeth alone. This seemes to bee a thing almost without example in gouernment, and therefore not vnlikely to haue crept in the degenerate and corrupt times. Wee see the greatest Kings and Monarches haue their Councils. There is no temporall Councell in *England* of the higher sort where the authoritie doth rest in one person. The Kings-bench, Comon-pleas, and the Exchequer, are benches of a certain number of Iudges. The Chancellor of *England* hath an Assistance of 12. Maisters of the Chancerie. The Master of the Wards hath a councell of the Court; So
hath

the Church of England.

hath the Chancellor of the Duchie. In the Exchequer Chamber, the *Lord Treasurer* is ioyned with the Chancellor and the Barrons; The Masters of the Requests are euer more than one. The Iustices of Assise are two. The *Lord Presidents* in the Marches and in the *North*, haue counsels of diuers. The Starre-chamber is an assembly of the *Kings* priuie *Councell* aspersed with *Lords* Spirituall and Temporall. So as in all Courts the principall person hath euer either Colleagues or *Assessors*.

The like is to bee found in other well gouerned Kingdomes abroad where the iurisdiction is yet more distributed, as in the Courts of Parliament of *France*, and in other places. No man will denie, but the Acts that passe the *Bishops* iurisdiction, are of as great importance as those that passe the *Ciuill Courts*; for mens soules are more precious then their bodies or goods, & so are their good names. *Bishops* haue their infirmities, and haue no exception from that generall malediction which is pronounced against all men liuing, *Va soli, nam si ceciderit, &c.* Nay, we see that the first warrant in Spirituall causes is directed to a number *Dei Ecclesia*, which is not so in temporall matters; And we see that in generall causes of *Church-gouernment*, there are aswel Assemblies of all the *Clergie* in Councils, as of the States in *Parliament*, whence should this sole exercise of iurisdiction come? Surely, I doe suppose and thinke vpon ground, that *ab initio*

Certaine Considerations touching

non fuit ita; and that the Deanes and Chapters were Counsels about the Seas and chayres of *Byshops* at the first, and were vnto them a *Presbiterie*, or *Consistorie*, and intermedled not onely in the disposing of their reuenues and endowments, but much more in iurisdiction Ecclesiasticall. But it is probable, that the *Deane* and *Chapter* sticke close to the *Byshops* in matters of profit and the world, and would not loose their hold; but in matters of iurisdiction, (which they accounted but trouble and attendance) they suffered the *Byshops* to encroach and vsurpe, and so the one continueth, and the other is lost. And wee see that the *Byshop* of *Rome*, (*facit & ab hoste doceri*, and no question in that *Church* the first institutions were excellent) performeth all Ecclesiasticall iurisdiction as in *Consistorie*.

And whereof consisteth this *Consistorie*, but of the parish Priests of *Rome*, which terme themselves *Cardinals*, *a cardinibus mundi*, because the *Byshop* pretendeth to be vniuersall ouer the whole world. And hereof againe we see diuers shadowes yet remaining; As that the *Deane* and *Chapter*, *Pro forma* chooseth the *Byshop*, which is the highest point of iurisdiction. And that the *Byshop* when hee giueth orders, if there be any Ministers casually present, calleth them to joyne with him in imposition of hands, and some other particulars. And therefore it seemes to me a thing reasonable and religious,

the Church of England.

ous, and according to the first institution, that Byshops in the greatest causes, and those which require a spirituall discerning, namely in ordayning, suspending or depriving Ministers in excommunication being restored to the true and proper vse as shall bee afterwards touched, in sentencing the validitie of Mariages, and legittimations, in judging causes criminous as Symonie, incest, blasphemie and the like, should not proceed sole and vnassisted, which point as I vnderstand, is a Reformation that may bee planted *sine strepitu*, without any perturbation at all, and is a matter which will giue strength to the Byshops, countenance to the inferiour degrees of Prelates or Ministers, and the better issue or proceeding in those causes that shall passe.

And as I wish this strength giuen to the *Byshops* by Councell, so it is not vnworthy your *Maiesties* Royall consideration, whether you shall not think fit to giue strength to the general Councell of your *Clergie*, the *Convocation House*, which was then restrained, when the state of the *Clergie* was thought a suspected part to the Kingdome in regard of their late homage to the Byshop of *Rome*, which state now will giue place to none in their loyaltie and deuotion but to your *Maiestie*.

For the second point, which is the Deputation of their Authoritie, I see no perfect and sure ground for that neither, being somewhat diffi-

Certaine Considerations touching

rent from the examples and rules of gouernment. The *Bysbop* exerciseth his iurisdiction by his *Chancellor* and *Comissarie*, *Officiall*, &c. Wee see in all Lawes in the world, *Offices* of confidence and skill cannot be put ouer nor exercised by deputie, except it bee especially contained in the originall grant, and in that case it is dutifull. And for experience, there was neuer any Chauncellour of *England*, made a Deputie. There was neuer any iudge in any Court, made a Deputie. The *Bysbop* is a Iudge, and of a high Nature, whence commeth it that hee should depute, considering that all trust and confidence as was said is personall and inherent, and cannot or ought not to bee transposed? Surely in this againe *ab initio non fuit ita*, but it is probable, that *Bysbops* when they gaue themselves too much to the glorie of the world, and became *Grandes* in Kingdomes, and great Councillors to Princes, then did they de-league their proper iurisdiction as things of too inferiour a nature for their greatnesse; and then after this similitude and imitation of Kings and Counts Palatine, they would haue their Chancellors and Iudges.

But that example of Kings and Potentates giueth no good defence. For the reasons why Kings administer by their Iudges, although themselves are supream Iudges, are two. The one because the offices of Kings are for the most part of inheri-

the Church of England.

heritance, and it is a Rule in all Lawes; *That Offices of inheritance, are rather matters that sound in interest, then in confidence,* forasmuch as they may fall vpon women, vpon Infants, vpon Lunatiques and ideots, persons vncapable to execute iudicature in person, and therefore such Offices by all Lawes might ever be exercised and administred by delegation. The second reason is, because of the amplitude of their Iurisdiction, which is as great as either their birth-right from their Ancestors, or their sword-right from God, maketh it. And therefore if *Moses* that was Gouvernour over no great people, and those collected together in a campe, and not scattered in Prouinces and cities, himselfe likewise of an extraordinarie spirit, was neuertheles not able to suffice and hold out in person to judge the people, but did by the aduise of *Leuite* approued from God, substitute Elders and Iudges, how much more other Kings and Princes.

There is a third Reason likewise, not much to the present purpose, and that is: That Kings eyther in respect of the Common wealth, or of the greatness of their owne Patrimonies, are vually parties in lutes, and then their Iudges stand indifferent betweene them and the subject. But in the case of *Bishops*, none of these reasons hold. For first, their Office is elective and for life, and not patrimonial or hereditarie; an Office meerly of confidence, science and qualification. And for the second rea-

Certaine Considerations touching

son, it is true that their jurisdiction is ample and spacious, and that their time is to bee diuided betwene the labours as well in the word and doctrine, as in gouernment and jurisdiction. But yet I doe not see, supposing the Byshops Courts to be vsed vncorruptly, and without any indirect courle held to multiply causes for game of fees, but that the Byshop might very well for causes of moment, supply his iudiciall function in his owne person. For we see before our eyes, that one *Chancellor* of *England* dispatcheth the suites in equitie of the whole Kingdome, which is not by reason of the excellencie of that rare honourable Person which now holdeth that place, but it was euer so, though more and lesse burdenous to the sutor, as the *Chancellor* was more or lesse able to gine dispatch. And if heed bee taken to that which was said before, that the *Byshops* labour in the word must take vp a principall part of his time, so I may say againe, that matters of State haue euer taken vp most of the *Chancellors* time, hauing bin for the most part persons vpon whom the Kings of this Realme haue most relied for matters of Council. An therfore there is no doubt, but the *Byshop*, whole circuit is lesse ample, and the causes in nature not so multiplying, with the helpe of references and certificates to and from fit persons for the better ripening of causes in their meane proceedings, and such ordinary helpes incident to jurisdiction,

in the Church of England.

diction, may very well suffice his Office. But yet there is an other helpe, for the causes that come before him are these, Tythes, Legacies and Administrations, and other testamentary causes, causes Matrimoniall, accusations against Ministers tending to their suspension, deprivation or degrading, Symonie, incontinencie, Heresie, Blasphemie, breach of Saboth, and other like causes of scandall. The first two of these in mine opinion, differ from the rest, that is, Tithes and Testaments, for those bee matters of profite and in their nature Temporall, though by a fauour and conniuece of the temporall iurisdiction, they haue been allowed and permitted to the *Courts Ecclesiasticall*; the one, to the end the *Clergie* might sue for that that was their sustentation, before their owne Iudges, and the other in a kind of pietie and Religion, which was thought incident to the performance of dead mens Wils. And surely for these two, the Byshop in mine opinion, may with lesse danger discharge himselfe vpon his ordinary Iudges. And I thinke likewise it will fall out that those sutes are in the greatest number. But for the rest, which require a Spirituall science and discretion in respect of their nature, or of the scandall, it were reason in my opinion there were no audience giuen, but by the Byshop himselfe, he being also assisted as was touched before, but it were necessarie also hee were attended by his *Chancellor* or some others his Officers,

Certaine Considerations touching

ficers, being learned in the *Ciwill Law*, for his better instruction in points of formalitie, or the courses of the Court, which if it were done, then were there lesse vfe of the *Officials Court*; whereof there is now so much complaint. And causes of the nature aforesaid being only drawne to the Audience of the Byshop, it would repressse friuolous and polling sutes, and giue a graue and incorrupt proceeding to such causes as shalbe fit for the Court.

There is a third point also, not of jurisdiction, but of forme of proceeding, which may discerne Reformation; the rather becaule it is contrary to the Lawes and Customes of this Land and State, which though they doe not rule those proceedings, yet may they be aduised with for better direction, and that is, the Oath *ex Officio*, whereby men are inforced to accuse themselves, and that that is more, are sworne vnto Blanques, and not vnto accusations and charges declared. By the Lawes of *England*, no man is bound to accuse himselfe. In the highest cases of treason, torture is vsed for discouerie, and not for euidence. In capitall matters, no delinquents answer vpon oath is required, no not permitted. In criminall matters not capitall, handled in the *Starre Chamber*, and in causes of Conscience handled in the *Chauuncerie*, for the most part grounded vpon trust and secrecie, the oath of the partie is required. But how? where there is an accusation and an Accusor, which wee call
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the Church of England.

call bills of complaint, (from which the complainant cannot varie, and out of the compasse of the which the defendant may not bee examined) exhibited vnto the Court, and by Proces notified vnto the defendant. But to examine a man vpon oath out of the insinuation of fame, or out of accusations secret and vndeclared, though it haue some countenance from the *Ciuill-Law*, yet is so opposite *ex diametro* to the sence and course of the *Common-Law*, as it may well receiue some limitation.

Concerning the Liturgie, the Ceremonies, and Subscription.

FOR the *Liturgie*, great respect and heed would be taken, least by inueighing against the dumbe Ministrie due reuerence be not withdrawne from the *Liturgie*. For though the guift of Preaching, bee farre aboue that of Reading, yet the action of the *Liturgie* is as high and holy as that of the *Sermon*. It is said, *Domus mea domus orationis vocabitur*, The house of Prayer, not the house of Preaching. And whereas the Apostle saith: *How shall men call vpon him on whom they haue not beleueed? and how shal they beleene vnlesse they heare? and how shall they heare without a Preacher?* It appeareth that as Preaching is the more originall, so Prayer is the more finall, as the difference is between the

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Certaine Considerations touching

seed and the fruit for the keeping of Gods Law; is the fruit of the teaching of the Law, and *Prayer*, or *Invocation*, or *Divine service*, or *Liturgie* (for these be but varietie of termes) is the mediate hallowing of the Name of God, and the principall worke of the first Table, and of the great Commandement of the Law of God. It is true that the Preaching of the holy word of God, is the sowing of the seed, it is the lifting vp of the brazen serpent, the Ministrie of Faith and the ordinary meanes of saluation, but yet it is good to take example, how that the best Actions of the worship of God may be extolled excessiue and superstitiously. As the extolling of the Sacrament bred the superstition of the Masse; the extolling of the Liturgie and prayers, bred the superstition of the Monasticall orders and oraisons; And so no doubt Preaching likewise may be magnified and extolled superstitiously, as if all the whole body of Gods worship should be turned into an eare. So as none (as I suppose) of sound judgement, will derogate from the Liturgie, if the forme thereof be in all parts agreeable to the word of God, the example of the *Primitive Church*, and that holy decency which *S. Paul* commendeth. And therefore first, that there be a set forme of prayer, and that it be not left, either to an extemporall forme, or to an arbitrarie forme. Secondly, that it consist as well of lawdes, hymnes, and thanksgiuinges, as of petitions, prayers & supplicati-

the Church of England.

plications. Thirdly, that the forme therof be quickened with some shortnes, and diuersities of prayers and hymnes and with some interchanges of the voyce of the people, as well as of the voyce of the *Minister*. Fourthly, that it admit some distinctions of times and commemorations of Gods principal benefits, as well generall as particular. Fifthly, that prayers likewise be appropriated to seuerall necessities and occasions of the *Church*. Sixthly, that there be a forme likewise of words and Liturgie in the administration of the *Sacraments*, and in the denouncing of the censures of the *Church*, and other holy actions and solemnities. These things I thinke will not bee much controuerted.

But for the particular exceptions to the Liturgie in forme as it now stands, I thinke diuers of them allowing they were just, yet seeme they not to be weightie, otherwise then that nothing ought to bee accounted light in matters of Religion and pietie, as the Heathen himselfe could say, *Etiam vultu saepe leditur pietas*. That the word *Priest* should not bee continued especially with offence, the word *Minister* being already made familiar. This may be said that it is a good Rule in translation, neuer to confound that in one word in the translation, which is precisely distinguished in two words in the originall, for doubt of æquiuocation and traducing. And therefore seeing the word *ἱερεὺς* and *ἴεγος* bee alwayes distinguished

Certaine Considerations touching

in the originall, and the one vsed for a Sacrificer, the other for a Minister, the word *Priest* being made common to both, whatsoeuer the deriuation be, yet in vse it confoundeth the *Minister* with the *Sacrificer*. And for an example, of this kind, I did euer allow the discretion and tenderesse of the *Rhemish* translation in this Point, that finding in the originall the Word *ἀγάπη* and neuer *ἔργον*, doe euer translate *Charitie*, and neuer *Loue*, because of the indifferencie and equiuocation of the word with impure Loue.

Touching the *Absolution*, it is not vnworthy consideration whether it may not bee thought vnproper and vnnecessary, for there are but two sorts of Absolution, both supposing an obligation precedent: the one vpon an Excommunication, which is Religious and Primitiue; the other vpon Confession and Pennance which is superstitious, or at least positiue, and both particular, neither generall. Therefore since the one is taken away, and the other hath his proper case, what doth a generall Absolution wherein there is neither Penance nor Excommunication precedent. For the *Church* neuer looseth, but where the *Church* hath bound. And surely, I may thinke, this at the first was allowed in a kind of Spirituall discretion, because the *Church* thought the people could not bee suddenly weaned from their conceit of affoyling, to which they had heene so long accustomed.

For

the Church of England.

For *Confirmation*, to my vnderstanding the state of the Question is, whether it bee not a matter mistaken and altered by time, and whether that be not now made a subsequence to *Baptisme*, which was indeed an inducement to the *Communion*. For whereas in the *Primitive Church*, children were examined of their Faith before they were admitted to the *Communion*, time may seeme to haue turned it to referre as if it had beene to receiue a confirmation of their *Baptisme*.

For *Private Baptisme*, by Women or Laypersons, the best *Diuines* doe vtterly condemne it, and I heare it not generally defended, and I haue often maruelled, that when the Booke in the Preface to publique Baptisme, doth acknowledge that Baptisme in the practise of the *Primitive Church*, was anniuersarie and but at set and certaine times, which sheweth that the *Primitive Church*, did not attribute so much to the Ceremonie, as they would breake an outward and generall order for it, the Booke should afterwards allow of Private Baptisme, as if the Ceremonie were of that necessitie as the very Institution, which committed Baptisme onely to the Ministers, should bee broken in regard of the supposed necessitie. And therefore this point of all others, I thinke was but a *concessum propter duritiam cordis*.

For the forme of celebrating *Matrimonie*; the Ring seemeth to many euen of vulgar sence

Certaine Considerations touching

and vnderstanding, a Ceremonie not graue, specially to be made (as the words make it) the essentiall part of the action : besides some other of the words are noted in speech to bee not so decent and fit.

For *Musicke in Churches*, That there should be singing of Psalmes and spirituall songs, is not denied, so the Question is *De modo*; wherein if a man will looke attentiuely into the order and obseruance of it, it is easie to discerne, betweene the wisedome of the institution, and the excesse of the late times. For first, there are no Songs or Verses sung by the Quire, which are not supposed, by continuall vse, to bee so familiar with the people as they haue them without booke, whereby the sound hurteth not the vnderstanding, and those which cannot read vpon the booke, are yet partakers of the sence and may follow it with their mind. So againe, after the reading of the Word of God, it was thought fit there should bee some pawse, for holy meditation before they proceeded to the rest of the seruice; which pawse was thought fit to be filled rather with some graue sound, then with a still silence, which was the reason of the playing vpon the Organs after the Scriptures read. All which was decent and tending to edification. But then the curiositie of diuision and reports, and other figures of Musick, haue no affinitie with the reasonable seruice of God, but were added in the more pompous times. For

the Church of England.

For the *Cap* and *Surplice*, since they bee things in their nature indifferent, and yet by some held superstitious, and that the question is betweene Science and Conscience, it seemeth to fall within the compasse of the *Apostles* rule, which is, that the stronger doe descend and yeeld to the weaker. Onely, the difference is, that it will be materially said, that the rule holds between priuate man, and priuate man, but not betweene the conscience of a priuate man, and the order of a *Church*. But yet since the question at this time is of a tolleration, not by conniueance which may incourage disobedience, but by law which may giue a liberty, it is good againe to bee aduised, whether it fall not within the equitie of the former rule. The rather because the silencing of Ministers by this occasion, is in this scarcitie of good Preachers, a punishment that lights vpon the people, as well as vpon the partie. And for the *Subscription*, it seemeth to bee in the nature of a confession, and therefore more proper to binde in the vnitie of *Faith*, and to be vrged rather for Articles of doctrine, then for Rites and Ceremonies and points of outward gouernment. For howsoeuer politike considerations and reasons of State may require vniformitie, yet Christian and diuine grounds looke chiefly vpon vnitie.

Touching

Certaine Considerations touching

Touching a Preaching Ministry.

TO speake of a learned *Ministerie*, it is true, that the worthinesse of the *Pastors* and *Ministers* is of all other points of religion the most summary; I doe not say the greatest, but the most effectuall towards all the rest. But herein to my vnderstanding, while men goe on in Zeale to hasten this worke; they are not aware of as great or greater inconuenience then that which they seeke to remoue. For while they inueigh against a dumbe *Ministerie*, they make too easie and too promiscuous an allowance of such as they account Preachers; hauing not respect enough to their learnings in other Artes, which are hand-maides to Diuinitie; nor respect inough to the gift it selfe which many times is none at all. For God forbid that euery man that can take vnto himselfe boldnesse to speake an houre together in a *Church* vpon a Text, should be admitted for a Preacher though he meane neuer so well, I know there is a great latitude in gifts and a great varietie in Auditories and Congregations, but yet so, as there is *aliquid infimum*, below which you ought not to descend. For you must rather leaue the Arke to shake, as it shall please God, then put vnworthy hands to hold it vp, and when

the Church of England.

when we are in Gods Temple, we are warned rather to put our hands vpon our mouth, then to offer the Sacrifice of fooles. And surely, it may be justly thought, that amongst many causes of *Atheisme*, which are miserably met in our Age, as Schismes and controuersies, prophane scoffing in holy matters and others, it is not the least that diuers do aduenture to handle the word of God, which are vnfit and vnworthy. And herein I would haue no man mistake me, as if I did extoll curious and affected Preaching, which is as much on the other side to be disliked, and breeds *Atheisme* and scandall as well as the other (for who would not bee offended at one that comes into the pulpit, as if he came vpon the Stage, to play parts or prizes,) neither on the other side, as if I would discourage any who hath any tollerable gift.

But vpon this point, I ground three considerations, whether it were not requisite to renew that good Exercise which was practised in this *Church* some yeares; and afterwards put downe, by order indeed from the *Church* in regard of some abuse thereof, inconuenient for those times, and yet against the aduise and opinion, of one of the greatest and grauest Prelates of this Land, and was commonly called *Prophecyng*; which was this; That the Ministers within a Precinct, did meete vpon a weeke day, in some principall Towne, where there was some ancient graue

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Minister

Certaine Considerations touching

Minister, that was *President*, and an Auditorie admitted of Gentlemen, or other persons of leasure; then euery Minister successiuelly, beginning with the yongest, did handle one and the same piece of Scripture, spending feuerally some quarter of an houre or better, & in the whole, some two houres; and so the Exercise beeing begun and concluded with prayer, and the *President* giuing a Text for the next meeting, the Assembly was dissolued. And this was as I take it, a fort-nights Exercise, which in my opinion was the best way to frame and traine vp *Preachers* to handle the Word of God as it ought to be handled, that hath been practised. For we see Orators haue their Declamations, Lawyers haue their mootes, Logicians their Sophems, and euery practise of Science hath an exercise of erudition and imitation; before men come to the life, onely *Preaching* which is the worthiest, and wherein it is most danger to doe amisse, wanteth an introduction, and is ventred and rushed vpon at the first; but vnto this Exercise of the *Prophecie*, I would wish these two additions; the one, that after this Exercise which is in some sort publique, there were immediatly a private meeting of the same Ministers where they might brotherly admonish the one the other, and especially the elder sort the younger, of any thing that had passed in the *Exercise* in matter or manner vnfound and vncomely. And in a word might mutually vie
such

the Church of England.

such aduise, instruction, comfort or encouragement, as occasion might minister for publike reprehension were to be debarred.

The other additions that I meane, is, that the same Exercise were vsed in the Vniuersities for young Diuines before they presumed to Preach, as well as in the Country for Ministers, for they haue in some Colledges an exercise called a *Common-place* which can in no degree, bee so profitable, beeing but the speech of one man at one time. And if it bee feared that it may bee occasion to whet mens speeches for Controuersies, it is easily remedied by some strict prohibition, that matters of Controuersie tending any way to the violating or disquieting of the peace of the Church be not handled or entred into; which prohibition in regard there is euer to be a graue person *President* or Moderator, cannot bee suffered. The second consideration is, whether it were not conuenient there should be a more exact probation and examination of Ministers. Namely, that the Byshops doe not ordaine alone but by aduise, and then that the ancient holy orders of the Church might be reuiued, by the which the Byshop did ordaine Ministers but at foure set times in the yeare, which were called, *Quatuor tempora* which are now called *Ember-weekes*; it being thought fit to accompany so high an action with generall Fasting, and Prayer, and Sermons, and all holy

Certaine Considerations touching

exerciser. And the names likewise of those that were ordained were published some dayes before their ordination, to the end exceptions might bee taken if just cause were.

The third consideration is, that if the case of the Church of *England* bee, that where a computation is taken of all the perochian Parishes, as allowing the vnion of such as were too small, and adjacent, and againe a computation to bee taken of the persons who are worthie to bee Pastors. And if vpon the said account it fall out, that there are many more Churches then Pastors, then of necessitie, recourse must bee had to one of these remedies; eyther that *Pluralities* must be allowed, specially if you can by permutations make the benefices more compatible, as there be allowed Preachers to haue a more generall charge to supply and serue by turne Parishes vnfurnished. For that some *Churches* should bee provided of Pastors able to teach, and other wholly destitute, seemeth to mee to bee against the Communion of Saints, and Christians, and against the practise of the *Primitive Church*.

Touching

the Church of England.

Touching the abuse of Excommunication.

Excommunication is the greatest judgement vpon the earth, being that which is ratified in Heauen, and being a precursorie or prelatorie judgement of *Christ* in the end of the world; and therefore for this to be vsed vnreuerently, and to bee made an ordinarie processe to lackie vp and downe for Fees, how can it bee without derogation to Gods honour, and making the power of the keyes contemptible? I know very well the defence thereof, which hath no great force, That it issues forth not for the thing it selfe, but for the contumacie. I doe not denie but this judgement is as I said before, of the nature of Gods judgement, of the which it is a modell; For as the judgement of God taketh hold vpon the least sin of the impenitent, so *excommunicatio*, may in case issue vpon the smallest offence, and in case not issue vpon the greatest, but is this cōtumacy, such a contumacie as *Excommunication* is now vied for? for the contumacie must be such, as the partie, as farre as the eye and wisdom of the Church can discern, standeth in state of reprobation and damnation, as one that for that time seemeth giuen ouer to finall impenitencie. Vpon this obseruation I ground two

Certaine Considerations touching

considerations ; The one, that this censure bee restored to the true dignitie and vse thereof, which is that it proceed not but in cases of great weight, and that it be decreed not by any Deputie or substitute of the *Byskop*, but by the *Byskop* in person ; and not by him alone, but by the *Byskop* assisted.

The other Consideration is, that in lieu thereof, there be giuen to the Ecclesiasticall Courts, some ordinary processe, with such force and coercion, as appertaineth. That so the dignitie of so high a sentence being retained, and the necessitie of meane processe supplied, the *Church* may bee indeed restored to the Ancient vigor and splendor. To this purpose joyned with some other holy and good purposes, was there a Bill drawne in Parliament in the three and twentie yeare of the raigne of the Queene deceased, which was the grauest Parliament that I haue knowne, and the Bill recommended by the grauest Counsellor of Estate in Parliament, though afterwards it was stayed by the Queenes speciall commandement, the nature of those times considered.

Touching the Non-residents and Pluralities.

FOR *Non-residents* except it bee iust of necessity absence, it seemeth to be an abuse drawne out of couetousnesse and sloath ; for that men should

the Church of England.

should liue of the flocke that they doe not feede , or at the Altar at which they doe not serue , is a thing that can hardly receiue iust defence, And to exercise the office of a Pastor in matter of word and doctrine by deputy, is a thing not warranted as hath beene touched before. The question vpon this poynt doth chiefly arise vpon the cases of exception, and excusation, which shall be thought reasonable and sufficient, & which not; for the case of Chaplaines, let me speake that with your Majesties pardon, and with due reuerence towards other Peeres and graue persons, which are by Statutes priuiledged, I should thinke that the attendance which Chaplaines giue to your Majesties Court, and in the Houses and Families of their Lords, were a iuster reason why they should haue no Benefice, then why they should bee qualified to haue two, for as it standeth with Christian policie, that such attendance be in no wise neglected; because that good which ensueth thereof to the Church of God, may exceed or counteruaile that which may follow of their labours in any, though neuer so large a congregation, so it were reasonable that their maintainance should liberally proceed thence whence their labours bee employed. Neither are there wanting in the Church, Dignities and preferments not joyned with any exact cure of soules, by which and by the hope of which such attendants in ordinary who ought to be as for the most part they are of the best gifts and
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Certaine Considerations touching

sort, may bee further encouraged and rewarded; And as for extraordinary attendants they may very well retaine the grace and countenance of their places and duties at times incident therunto without discontinuance or *non-residence* in their pastoral charges.

Next, for the case of Intending studies in the Vniuersities, it will now easily receiue an Answer, for studies doe but serue and tend to the practise of those studies; And therefore by that which most principall and finall to be left vndone, for the attending of those which is subseruient and subministrant, seemeth to bee against proportion of reason. Neither do I see but that they proceed Right-well in all knowledge which do couple studie with their practise, and do not first study altogether and then practise altogether. And therefore they may very well study at their benefice. Thirdly, for the case of extraordinary seruice of the Church, as if some Pastor be sent to a generall Counsell, or here to a Conuocation, and likewise for the case of necessity, as in the particular of infirmity of body and the like, no man will contradi&th, but there may be some substitution for such a time. But the generall case of necessity, is the case of *Pluralities*, the want of Pastors and insufficiency of Liuiings considered. *Posito*, that a man doth faithfully and incessantly diuide his labours betweene two Cures, which kinde of necessity I come now to speake of, in the handling of *Pluralities*.

For

the Church of England.

For *Pluralities*, in case the number of able Ministers were sufficient, and the value of the Benefices were sufficient, then *Pluralities* were in no sort tollerable. But wee must take heed we desire not contraries; For to desire that euery parish should bee furnished with a sufficient Preacher, and to desire that *Pluralities* bee forthwith taken away, is to desire things contrary, considering *de facto*, there are not sufficient Preachers for euery Parish; wherto adde likewise, that there is not sufficient liuing and maintenance in many parishes to maintaine a Preacher, and it makes the impossibilitie yet much the greater. The remedies *in rerum natura* are but three, *Vnion*, *Permutation*, and *Supply*. *Vnion*, of such Benefices as haue the Liuing too small, & the parish not too great, and are adiacent. *Permutation*, to make Benefices more compatible men bee ouer-ruled to some losse in changing a better for a neerer. *Supply*, by stipendarie Preachers to bee rewarded with some liberrall stipends to supply as they may, such places which are vnfurnished of sufficient Pastors, as Queene *Elizabeth* amongst other her Christian acts, did erect certaine of them in *Lancashire*, towards which persons, I see no reason but reading Ministers if they haue rich Benefices should bee charged.

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Touching

Certaine Considerations touching

Touching the Prouision for sufficient maintenance in the Church.

TOuching Church maintenance it is well to be weighed, what is *Iure diuino*, and what is *Iure positivo*; it is a constitution of the Diuine law, where-from Humaine lawes cannot derogate; that those that feed the flocke, should liue of the flocke; that those which serue at the Altar, should liue at the Altar; and which dispence Spirituall things, should reape Temporall things. Of which it is also an appendix, that the proportion of this maintenance be not small or necessitious, but plentifull and liberall; so that all the places and offices in the Church haue such a donation, that they may bee maintayned according to theyr seuerall degrees, is a constitution parmanent and perpetuall. But for particularitie of the endowment, whether it should consist in Tythes, or Lands, or persons, or mixt, it may make a question of conuenience; but, no question of precise necessitie: Againe, that the case of the Church *De facto* is such, that there is want in the Church of patrimonie, is confessed for the principall places; namely, the Bishops liuings are in some particulars not sufficient; and therefore inforced to bee supplied by toleration of *Commendams*, things in themselves

the Church of England.

selues vnfit and euer held of no good report.

And as for the Benefices and Pastors places, it is manifest, that many of them were very weake and penurious; on the other side, that there was a time when the Church was rather burdened with superfluitie then with lacke; that is likewise apparant, but it was long since, so as the fault was in others, the want redoundeth vpon vs againe. And therefore, that it were to bee wished that Impropriations were returned to the Church as the proper and naturall endowment thereof. As a thing likewise whereon mens judgements will not much varie. Also, that it is an Impossibilitie to proceed eyther to theyr resumption or redemption, is as plaine on the other side; for men are flated in them by the highest assurance of the Kingdome, which is Act of Parliament, and the value of them amounteth much aboue tenne Subsidies. And the Restitution must of necessitie passe their hands in whole hands there is interest and possession.

But of these things which are manifestly true, to inferre and ground some conclusions; First, for mine owne opinion and since I must confesse, let mee speake it with reuerence, that all the Parliaments since the 27. and 31. of King *Hen. 8.* who gaue away Impropriations from the Church, seeme to mee to stand in some sort obnoxious and obliged to God in Conscience to doe somewhat for the Church, to reduce the Patrimonie there-

Certaine Considerations touching

of to a competencie; for since they haue debarred Christs wife of a great part of her Dowrie, it were reason they made her a competent Ioynture. Next to say, that Impropropriations should be onely charged, that carryeth neyther possibilitie nor reason. Not possibilitie for the reason touched before. Not reason because if it be conceived that any other persons bee charged it should be a recharge or double charge, in as much as hee payeth tythes to the Church, so the Realme hath taken that away againe from the Church, and gaue them to the King, as they might giue their tenth sheaffe, or ninth sheaffe; and therefore, the first guise beeing evacuated, it cannot goe in defeazance or disgrace of that perpetuall bond whereby men are bound to maintaine Gods Ministers. As we see in example, that diuers godly and well-disposed persons doe put in vre who are content to increase their Preachers livings, which though in Law it bee but a benevolence; yet before God, it is but a conscience. Farther that Impropropriations should not be somewhat more deeply charged then other reuenues of like value; me thinkes cannot well be denyed, both in regard of the ancient claime of the Church and the intention of the first giver. And againe, because *they haue passed in valuation betweene man and man somewhat at the lesse rate, in regard of the said pretence or claime in Conscience*

the Church of England.

ence before God: But of this point touching Church maintainance, I doe not thinke fit to enter into a farther particularitie, but reserue the same to a fitter time.

Thus haue I in all humblenes and sinceritie of heart, to the best of mine vnderstanding, given your Maiestie tribute of my cares and cogitations in this holy businesse, so highly tending to Gods glorie, your Maiesties honor, and the peace and welfare of your States; in so much, as I am perswaded the Papists themselues should not need so much the severitie of the penall Lawes, if the sword of the Spirit were better edged, by strengthening the authoritie and suppressing the abuses in the Church.

To conclude therefore, renewing my most humble submission of all that I haue said, to your Maiesties most high wisdom; and againe, most humbly craving pardon for my error committed in this writing, with the same weaknesse of Iudgement which suffered me to commit them, would not suffer mee to discover them. I end with my devout and fervent prayer to God, that as hee hath made your Maiestie the corner stone in joyning your two Kingdomes, so you may bee also as a corner stone to

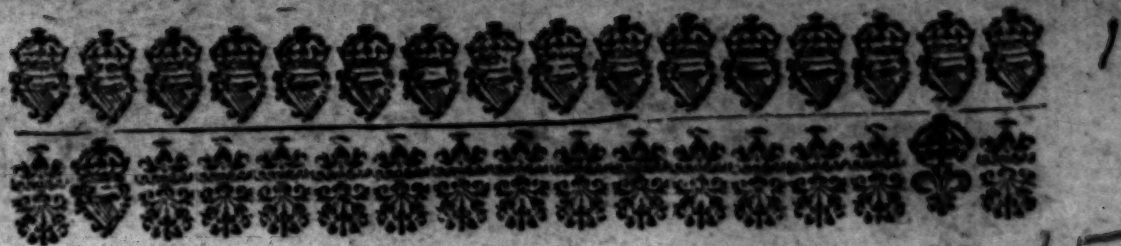
Certaine Considerations, &c.

vnite and knit together these differences in the
Church of GOD, to whose heavenly grace,
and neuer erring Direction, I commend
your Majesties Sacred person and
all your doings.

[**]

FINIS.

9-11-52



LE. 7. 76⁵

CERTAINE
CONSIDERATIONS
TO VCHING THE
better Pacification, and
Edification of the Church of
ENGLAND.

Dedicated to His most Excellent
Majesty:



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